

8

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/499,933	PARK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Roberta A. Shand	2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06-15-2005.
2. ☒ The allowed claim(s) is/are 1-7 and 9-12 renumbered 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                    |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>09/05/2005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                           |
|   | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with E. Russell Tarleton on Friday, September 2, 2005.

**The application has been amended as follows:**

**Claim 9,**

**Line 3, "wherein the terminal is arranged to perform steps comprising:" has been replaced with --comprising:--.**

**Line 4, "receiving" has been replaced with --circuit configured to receive--.**

**Line 8, "reporting" has been replaced with --circuit configured to report--.**

**Line 14, "performing" has been replaced with --circuit configured to perform--.**

**Claim 11**

**Line 7, "base station includes:" has been replaced with --base station:--.**

**Line 10, "step of transmitting" has been replaced with -- transmits--.**

**Lines 17-18, "step of transmitting" has been replaced with -- transmits--.**

**Claim 12**

**Line 2, "base station includes:" has been replaced with –base station:--.**

**Line 5, "step of transmitting" has been replaced with – transmits--.**

**Lines 12-13, "step of transmitting" has been replaced with – transmits--.**

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance: the prior art does not teach or fairly suggest a hard handoff method from an asynchronous CDMA base station to a synchronous CDMA base station, comprising: s first step of the synchronous CDMA base station transmitting asynchronous CDMA channels including an asynchronous CDMA synchronization channel and an asynchronous CDMA common pilot channel to a mobile terminal for synchronizing a handoff time at the synchronous CDMA base station, wherein the synchronous CDMA base station further transmits synchronous CDMA channels to another mobile terminal; a second step of, at the mobile terminal, measuring each intensity of the synchronous CDMA common pilot channels outputted from the synchronous CDMA base station and the asynchronous CDMA base station to report the measured result to the synchronous CDMA base station; a third step of at the asynchronous CDMA base station transmitting a handoff request message to the synchronous CDMA base station on the basis of the from the mobile terminal; a fourth step of at the synchronous CDMA base station which receives the handoff request message transmitting an information to the asynchronous CDMA base station, wherein the

Art Unit: 2665

information is necessary to perform the hard handoff, and a fifth step of at the mobile terminal performing the hard handoff from the synchronous CDMA base station to the synchronous CDMA base station, in response to the information from the asynchronous CDMA base station through a traffic channel, as recited in independent claims 1 and 9-12..

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### *Conclusion*

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.
2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2665

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roberta A Shand  
Examiner  
Art Unit 2665

A handwritten signature in black ink, appearing to be 'S. NGUYEN', with a stylized, cursive-like flourish.

STEVEN NGUYEN  
PRIMARY EXAMINER